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05 JUN -1 AM 11:50

CHARLOTTE L. PETERSEN
WASHINGTON COUNTY CLERK
BLAIR, NEBR

200502413
STATE OF NEBRASKA COUNTY OF WASHINGTON)SS
ENTERED IN NUMERICAL INDEX AND FILED FOR RECORD
THIS 1st DAY OF June A.D. 2005
AT 11:50 O'CLOCK AM AND RECORDED IN BOOK
464 AT PAGE 243-247
COUNTY CLERK Charlotte L. Petersen
DEPUTY Garret Madson

Recorded
General
Numerical
Photostat
Printed

R/W No. _____

T-18N | LEGAL - Easements ()
R-11E | Washington County
S-10 & 11 | Nebraska State

EASEMENT FOR GAS & COMMUNICATIONS LINES

THIS EASEMENT, made and entered into this 18th day of May, 2005, by and between Dana College, a Nebraska non-profit corporation, whose address is 2848 College Drive, Blair, Nebraska 68008 of Washington County, Nebraska, "GRANTOR", and Aquila, Inc. formerly UtiliCorp United, Inc., a Delaware corporation, "GRANTEE".

After recording mail to: Aquila, Inc.
Right of Way Dept. 700-2
P.O. BOX 11739
Kansas City, MO. 64138

Having offices at: 10700 E. 350 Highway
Raytown Missouri 64133

KNOW ALL MEN BY THESE PRESENTS: That the "GRANTOR", in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells and conveys to Grantee, its lessees, licensees, successors and assigns, the right, privilege and perpetual easement to enter upon the lands of Grantor to survey, construct, operate, patrol, inspect, maintain, alter, add wires, cables, conduits, and pipes, repair, rebuild and remove, on, under and over said lands and in and upon all streets, roadways or highways abutting said lands, now or at any future time, lines for the transmission and distribution of gas and audio communications, visual communications, and data communications and all appurtenances and appliances necessary in connection therewith, together with the right of ingress and egress to and from the said lines of Grantee over the lands of Grantor so that Grantee may go to and from said lines from the public roads adjacent to Grantor's lands, which said lands of Grantor, situate in the County of Washington, in the State of Nebraska.

An easement across Grantor's lands shall be seventy feet (70') in width, the centerline of which is described as follows:

For a legal description and plat of the easement granted herein,
please refer to the Easement Exhibit attached hereto
and by reference made a part hereof.

It is further stipulated and agreed that the outer boundaries of the above-described seventy foot (70') tract easement shall be lengthened and/or shortened to begin and end on the same property lines as the above-described centerline.

That during construction of said pipeline or appurtenances, Grantee may utilize an additional strip of land not more than forty feet (40') in width adjacent to Grantee's easement strip on both sides for working space only.

Grantee may erect and use gates in all fences which cross or which shall hereinafter cross the route of said lines. Grantee is given the right to trim, cut and clear away any trees, limbs and brush on or adjacent to the above described easement whenever, in its judgment, such will interfere with or endanger the construction, operation or maintenance of said lines. In exercising its rights of ingress and egress Grantee shall, whenever practicable, use existing roads or lanes and shall repair any damage caused thereby.

It is the intention of the parties hereto that Grantor is hereby conveying the uses herein specified without divesting himself, his heirs or assigns, of the right to cultivate, use and enjoy the above described premises: PROVIDED, however, such use shall not, in the judgment of said Grantee, interfere with or endanger the construction, operation or maintenance of said lines, and provided further that no building shall be constructed on the easement without written permission from Grantee.

Grantee, its successors and assigns, agrees to pay for any damage caused to land, growing crops, fences, livestock or other personal property of Grantor from the construction, operation or maintenance of said lines.

Title to said lines shall be and remain in said Grantee.

TO HAVE AND TO HOLD said easement and rights aforesaid with all and singular, the rights, privileges, appurtenances, and immunities thereto belonging or in anyway appertaining unto Grantee its lessees, licensees, successors or assigns forever. This easement shall run with the land and shall be binding upon Grantor and Grantor's heirs, personal representatives, successors and assigns. Grantor hereby covenants that Grantor is the owner(s) of the above-described land, subject to existing liens and right-of-way easement of record.

IN WITNESS WHEREOF, the said GRANTOR has executed this instrument the day and year first above written.

GRANTOR:

Dana College, a Nebraska non-profit corporation

Bob Schmol

by Bob Schmol, it's Executive Vice President and CFO

Attest:

(place corporate seal here)

Shula M West

STATE OF NEBRASKA)
)SS
COUNTY OF WASHINGTON)

The foregoing instrument was acknowledged before me this 18 day of may, 2005, by Bob Schmoll, the Executive Vice President and CFO of Dana College, a Nebraska non-profit corporation, on behalf of the corporation.

(S E A L)

Rita McManigal
Notary Public
My Commission Expires 8-21-07

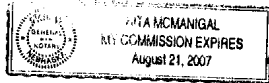


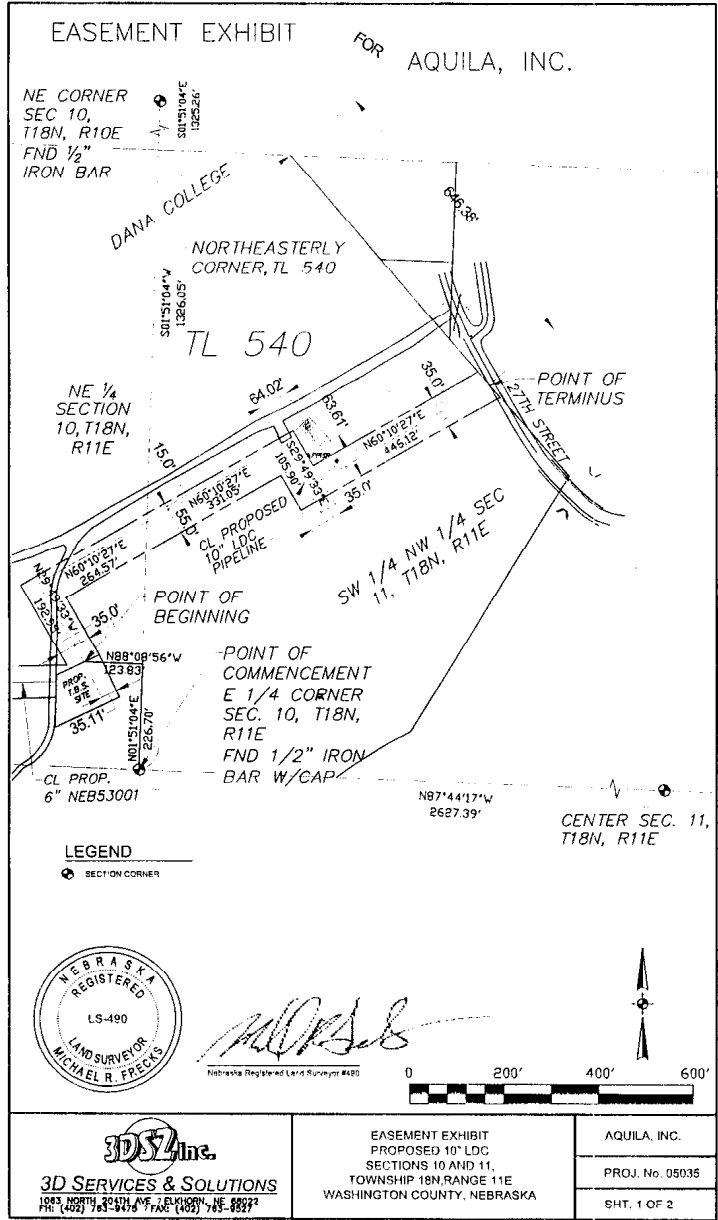
STATE OF NEBRASKA)
)SS
COUNTY OF WASHINGTON)

The foregoing instrument was acknowledged before me this 18 day of may, 2005, by Sheila West the Admin Assistant of Dana College, a Nebraska non-profit corporation, on behalf of the corporation.

(S E A L)

Rita McManigal
Notary Public
My Commission Expires 8-21-07





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EASEMENT EXHIBIT FOR AQUILA, INC.

A 70.00 FOOT WIDE PERPETUAL EASEMENT FOR PIPELINE PURPOSES OVER, UNDER AND ACROSS PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10 AND PART OF TAX LOT 540, EXCEPT THAT PART OF 27TH STREET RIGHT OF WAY, IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, ALL IN T18N, R11E, OF THE 6TH P.M., WASHINGTON COUNTY, NEBRASKA. (HORIZONTAL DATUM REFERENCED TO NORTH AMERICAN DATUM OF 1983 (97) UTM ZONE 15 NORTH, GROUND PLANE CAP#1.000398003, NAVD 1988, US FOOT, DATE OF FIELD WORK 09/09/04)


THE CENTERLINE OF SAID PIPELINE EASEMENT OF WHICH IS THE LOCATION OF AQUILA, INC.'S PROPOSED 10" LDC PIPELINE IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE N 01° 51' 04" E FOR 228.70 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE N 86° 08' 55" W FOR 123.83 FEET TO THE NORTH LINE OF PROPOSED T.B.S. SITE AND THE TRUE POINT OF BEGINNING OF SAID CENTERLINE TO BE DESCRIBED, SAID POINT LYING WESTERLY 35.11 FEET FROM THE NORTHEASTERLY CORNER OF SAID T.B.S. SITE;

THENCE N 29° 49' 33" W FOR 192.95 FEET, SAID EASEMENT LYING 35.00 FEET EACH SIDE OF CENTERLINE, THENCE N 60° 10' 27" E FOR 264.57 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, SAID EASEMENT LYING 15.00 FEET NORTHERLY AND 55.00 FEET SOUTHERLY OF SAID CENTERLINE; THENCE CONTINUING N 60° 10' 27" E FOR 331.05 FEET, SAID EASEMENT LYING 15.00 FEET NORTHERLY AND 55.00 FEET SOUTHERLY OF SAID CENTERLINE, THENCE S 29° 49' 33" E FOR 105.90 FEET, SAID EASEMENT LYING 35.00 FEET EACH SIDE OF CENTERLINE, THENCE N 60° 10' 27" E FOR 446.12 FEET TO THE NORTHEASTERLY LINE OF TAX LOT 540 AND THE POINT OF TERMINUS, SAID EASEMENT LYING 35.00 FEET EACH SIDE OF CENTERLINE AND SAID POINT LYING 646.38 FEET ALONG THE NORTHEASTERLY LINE AND SOUTHERLY OF THE NORTHEASTERLY CORNER OF SAID TAX LOT 540.

SIDELINES OF SAID EASEMENT ARE TO BE PROLONGED OR SHORTENED TO TERMINATE AT THE NORTHEASTERLY CORNER OF SAID TAX LOT 540. ALSO THE EAST SIDELINE TO BE TERMINATED AT THE NORTHEASTERLY CORNER OF SAID T.B.S. SITE AND THE WEST SIDELINE EXTENDED TO THE POINT OF INTERSECT WITH THE NORTHERLY SIDELINE OF THE PROPOSED 6" NEB53001.

\\001250702023 (Bart) [D:\WORK\TLC\08080000\Draw\TLC06 EDC PRODUCTION.DWG] 11:13:38 AM 4/27/2005 9:13:38 AM

 <p>3D SERVICES & SOLUTIONS 1083 NORTH 204TH STREET, SUITE 100, FAIRBURN, NE 68022 PH: (402) 763-8412 FAX: (402) 763-8622</p>	EASEMENT EXHIBIT PROPOSED 10" LDC SECTIONS 10 AND 11 TOWNSHIP 18N, RANGE 11E WASHINGTON COUNTY, NEBRASKA	AQUILA, INC. PROJ. No. 05035
		SHT. 2 OF 2